IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

MARTIN J. WALSH, *Acting Secretary of Labor, United States Department of Labor* Plaintiff, v. INTERNATIONAL TELEPRODUCTION SOCIETY 401(k) SAVINGS AND DISCRETIONARY CONTRIBUTION PLAN, Defendants.	))))))) Civil Action No. 1:21-cv-01063 (RDA/WEF)))))))))

ORDER

This matter comes before the Court upon the Report and Recommendation ("Recommendation") issued by Magistrate Judge William Fitzpatrick on October 19, 2022. Dkt. 21. In this employee benefits case, Judge Fitzpatrick recommends that the Court (1) enter default judgment against Defendant for violations of ERISA Sections 402 and 403; (2) appoint AMI as Independent Fiduciary, to be compensated for the performance of its duties and costs incurred up to the amount of $1,510.00 paid from Defendant plan's assets; and (3) order AMI to acts as the trustee of the plan, administer the plan, and distribute the plan's assets to its participants and beneficiaries. *See* Dkt. 21 at 7. Pursuant to Federal Rule of Civil Procedure 72(b)(2), the deadline for submitting objections to Judge Davis's Recommendation was November 2, 2022. To date, no objections have been filed.

After reviewing the record and Judge Fitzpatrick's Recommendation, and finding no clear error,[1] the Court hereby APPROVES and ADOPTS the Recommendation (Dkt. 21). Accordingly, Plaintiffs' Motion (Dkt. 12) is GRANTED.

The Clerk is directed to enter judgment in favor of Plaintiff pursuant to Federal Rule of Civil Procedure 58, forward copies of this Order to counsel of record, and close this civil action.

It is SO ORDERED.

Alexandria, Virginia
November __7__, 2022

/s/
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Rossie D. Alston, Jr.
United States District Judge

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[1] *See Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (holding that in the absence of any objections to a Magistrate Judge's Recommendation, the Court "need not conduct a *de novo* review, but instead must 'only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation'").